

Notice of Allowability

Application No.

09/800,314

Examiner

Christopher A. Revak

Applicant(s)

RADATTI ET AL.

Art Unit

2131

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the response filed on November 5, 2007.
2. ☒ The allowed claim(s) is/are 1-13,15,16.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date 11/16/07
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 1/29/08
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


CHRISTOPHER REVAK
PRIMARY EXAMINER

NOTICE OF ALLOWANCE

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114.

Terminal Disclaimer

1. The terminal disclaimer filed on December 26, 2007 disclaiming the terminal portion of any patent granted on this application has been reviewed and is accepted. The terminal disclaimer has been recorded.

Information Disclosure Statement

2. The information disclosure statement (IDS) submitted on November 16, 2007 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Examiner's Amendment

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Frank Bonini on January 29, 2008.

The application has been amended as follows:

1. (Currently amended) An apparatus for intercepting and processing code on a communications channel comprising: a protocol parser that parses monitors for interception parameters ~~code that is~~ passing through a communications channel based on ~~code~~ parameters of the ~~content of the~~ code passing through the communications channel; and, a proscribed code scanner; whereby said protocol parser intercepts said code traveling on said channel and transmits said code for review by said proscribed code scanner; said proscribed code scanner reviewing information preexisting in said code prior to said code being intercepted and process by said apparatus; whereby said scanner reintroduces to the communications channel all, some or none of the intercepted code.

7. (Currently amended) An apparatus for intercepting and processing code on a communications channel comprising: a protocol parser that monitors for interception

parameters ~~code that is~~ passing through a communications channel based on ~~code~~ parameters of the ~~content of the~~ code passing through the communications channel parses code based on the content of code received from said communications channel; a protocol scanner; and, a proscribed code scanner comprised of a scanning means and an indicator means; whereby said protocol parser transmits said code to said proscribed code scanner through said protocol scanner, and whereby said indicator means provides an indication of the presence of proscribed code after scanning said intercepted code.

8. (Currently amended) A method for processing code on a communications channel comprising: intercepting said code; parsing said code with a parser via protocol parsing based on parameters ~~the content of~~ the code intercepted by said protocol parser from said communications channel; scanning said code for the presence of proscribed code; and, providing an indicator for the presence of said proscribed code, whereby scanning of said code scans said code for information which preexists in said code being intercepted and parsed.

Allowable Subject Matter

2. Claims 1-13,15, and 16 are allowed.
3. The following is an examiner's statement of reasons for allowance: It was not found to be taught in the prior art of intercepting said code passing on a communication channel, parsing said code with a parser via protocol parsing based on parameters of

the code intercepted by said protocol parser from said communications channel;
scanning said code for the presence of proscribed code; and providing an indicator for
the presence of said proscribed code, whereby scanning of said code scans said code
for information which preexists in said code being intercepted and parsed.

Any comments considered necessary by applicant must be submitted no later
than the payment of the issue fee and, to avoid processing delays, should preferably
accompany the issue fee. Such submissions should be clearly labeled "Comments on
Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the
examiner should be directed to Christopher A. Revak whose telephone number is 571-
272-3794. The examiner can normally be reached on Monday-Friday, 6:30am-3:00pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's
supervisor, Ayaz Sheikh can be reached on 571-272-3795. The fax phone number for
the organization where this application or proceeding is assigned is 571-273-8300.


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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

CR


January 31, 2008


CHRISTOPHER REVAK
PRIMARY EXAMINER